

AMENDED IN ASSEMBLY MAY 6, 2009

AMENDED IN ASSEMBLY APRIL 13, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1222

**Introduced by Assembly Member Bonnie Lowenthal
(Principal coauthor: Assembly Member Torlakson)**

February 27, 2009

An act to ~~repeal~~ *amend* Sections 89090.5 and 92630.9 of the Education Code, relating to public postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 1222, as amended, Bonnie Lowenthal. California State University and University of California: alumni: disclosure.

Existing law establishes the California State University, administered by the Trustees of the California State University, and the University of California, administered by the Regents of the University of California, as two of the segments of public postsecondary education in this state. Existing law establishes the Hastings College of the Law, under the governance of the Board of Directors of the Hastings College of the Law, within the University of California.

Existing law prescribes criteria for the disclosure of the names and addresses of alumni of the California State University, the University of California, and the Hastings College of the Law. Existing law requires that the names, addresses, and electronic mail addresses of alumni be disclosed only to provide those persons with informational materials relating to the California State University, the University of California, and the Hastings College of the Law, and its programs and activities; to provide those persons, or the trustees, auxiliary organizations of the

California State University, as defined, or the Regents of the University of California, the Board of Directors of the Hastings College of the Law, or the alumni associations with beneficial commercial opportunities; or to promote and support the educational mission of the California State University, the University of California, the trustees, the regents, the Board of Directors of the Hastings College of the Law, or the alumni associations.

Existing law authorizes this disclosure only if the trustees, auxiliary organizations, or the alumni associations, in the case of the California State University, or the regents, the board of directors, or the alumni associations, in the case of the University of California and the Hastings College of the Law, have a written agreement with a business, as defined, that maintains control over this data that requires the business to maintain the confidentiality of the names, addresses, and electronic mail addresses of the alumni, that requires that the university retain or the college the right to approve or reject any purpose for which the private information is to be used by the business and to review and approve the text of mailings sent to alumni, and that prohibits the business from using the information for any purposes other than those described, and the disclosure of alumni names, addresses, and electronic mail addresses does not include the names and addresses of alumni who have directed the trustees, the regents, the board of directors, or an alumni association or auxiliary organization, not to disclose their names, addresses, or electronic mail addresses.

Existing law requires the California State University, the University of California, and the Hastings College of the Law to make available to its alumni a specified form or an alternative notice, including specified information, in a mailing or in an Internet posting, as prescribed, before alumni names, addresses, and electronic mail addresses may be disclosed.

Under existing law, these provisions are applicable to the University of California and the Hastings College of the Law only to the extent that the regents or the board of directors act, by resolution, to make them applicable.

Existing law specifies that these provisions are repealed as of January 1, 2011.

This bill would ~~delete these~~ *extend those* repeal dates, ~~thereby extending the operation of these provisions indefinitely to January 1, 2016.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 89090.5 of the Education Code is~~
2 ~~repealed.~~
3 ~~SEC. 2. Section 92630.9 of the Education Code is repealed.~~
4 ~~SECTION 1. Section 89090.5 of the Education Code is amended~~
5 ~~to read:~~
6 89090.5. This article shall remain in effect only until January
7 1, ~~2011~~ 2016, and as of that date is repealed, unless a later enacted
8 statute, that is enacted before January 1, ~~2011~~ 2016, deletes or
9 extends that date.
10 ~~SEC. 2. Section 92630.9 of the Education Code is amended to~~
11 ~~read:~~
12 92630.9. This article shall remain in effect only until January
13 1, ~~2011~~ 2016, and as of that date is repealed, unless a later enacted
14 statute, that is enacted before January 1, ~~2011~~ 2016, deletes or
15 extends that date.